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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/269,830	04/01/1999	ALFRED SCHEERHORN	2345/62	1687

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EXAMINER

CALLAHAN, PAUL E

ART UNIT PAPER NUMBER

2132

DATE MAILED: 06/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/269,830

Applicant(s)

Scheerhorn et al.

Examiner

Paul E. Callahan

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Apr 1, 1999
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 11-23 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2,4 6) ☐ Other:

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### **DETAILED ACTION**

1. Claims 1-10 were originally pending in this application. Claims 1-10 have been canceled by the preliminary amendment of April 1, 2002. New claims 11-23 have been added.

#### ***Priority***

2. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on Oct. 1, 1996.

#### ***Specification***

3. The disclosure is objected to because of the following:

Page 3 of the specification ends halfway down the page with the sentence From..., the discussion at the top of page 4 is not directed to the same topic as was incompletely ended on page 3. Missing from page 3 is the detailed description of how the signals are encoded and how the checksum is calculated and used. Page 4 ends with an indefinite sentence ending with and/or..., the top of page 5 continues on another topic. Missing from page 4 is a discussion of an illustrative example and an alternative embodiment of the invention. The top of page 5 picks up in the middle of a discussion of the generation and use of a random variable, the beginning of this discussion is not found in the specification. At no place in the specification is there enablement for the claims or a comprehensible discussion of the best mode contemplated by the inventor. Appropriate correction is required.

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***Claim Rejections - 35 USC § 112***

- 4 The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 11-23 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Missing from the specification are discussion of the following:

- \* The claimed method of calculating a checksum in claim 11.
- \* Details of the generation of the authentication token claimed in claims 14 and 17.
- \* Characteristics of the Block cipher of claims 18 and 19.
- \* Calculation of the token of claim 22.
- \* Details of the coding of signals using strings of the pseudo-random sequence as per claims 13, and 16.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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7. Claims 11-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims contain limitations that are not sufficiently well defined by the specification so as to represent the particular pointing out or distinct claiming of the invention required under 35 U.S.C. 112 2nd Paragraph..

### *Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following references are similar to the invention thought to be disclosed in the Applicant's specification.

5,319,710	Atalla et al.	Jun. 7, 1994
5,664,016	Preneel et al.	Sep. 2, 1997
5,673,319	Bellare et al.	Sep. 30, 1997
5,297,208	Schafly et al.	Mar. 22, 1994
5,491,750	Bellare et al.	Feb. 13, 1996

Krawczyk: "LSFR-based Hashing and Authentication," Advances in Cryptology- Crypto-94, LNCS 839, pp. 129-139, 1994.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Callahan whose telephone number is (703) 305-1336. The examiner can normally be reached on M-F from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, can be reached on (703) 305-1830. The fax phone number for the organization where this application or proceeding is assigned is Official Faxes: (703) 746-7239, Unofficial Faxes: 746-7240, After Final Faxes: 746-7238.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

PEC

6/12/02

*Paul Callahan*

*Gilberto Barron*  
GILBERTO BARRON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100